

Benjamin D. Schwartz (pro se investor in account 1W0085)
Charlotte, North Carolina (704) 708-5176
Benjamin D. Schwartz benincharlotte@yahoo.com

Benjamin D. Schwartz pro se in re: account 1W004810

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR
PROTECTION CORPORATION

Plaintiff-Appellant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES, LLC

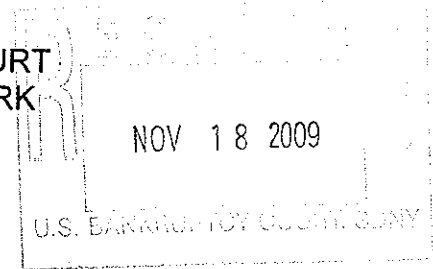
Defendant.

In re:

BERNARD L. MADOFF

Debtor.

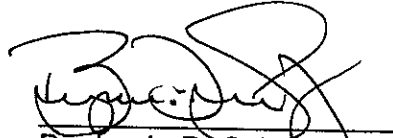
SIPA LIQUIDATION
(Substantively Consolidated)
Adv. Pro. No. 08-01789 (BRL)



OBJECTION to Trustee's DENIAL of claim on account 1W0085

- 1) The Wilk Investment Club was formed in January of 1993.
- 2) The first account number for the Wilk Investment Club was 1W004810. This account is located on page 161 of 163 on the Investors List.
- 3) In June, 1997 a second account number for the Wilk Investment Club was created by BLMIS.
- 4) The second account number is 1W0085.
- 5) On June 2, 1997 a transfer of assets from account 1W004810 to account 1W0085 took place.
- 6) The June 2, 1997 transfer from account 1W004810 to account 1W0085 was not requested nor was the transfer authorized by 1W004810.

- 7) The transfer amount was \$1,265,027.58. The adjusted amount, without the false profits, was \$804,996.33. (see Ex. "A").
- 8) The Trustee's DENIAL of claim on 1W0085 includes an unauthorized transfer of assets from account 1W004810, see Ex. A.
- 9) Because the transfer of assets from account 1W004810 to account 1W0085 was not authorized, account 1W004810 should be eligible to receive SIPC relief.



Benjamin D. Schwartz
Filing pro se OBJECTION
704-708-5176
Benincharlotte@yahoo.com

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v.

SIPA LIQUIDATION
(Substantively Consolidated)
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BERNARD L. MADOFF INVESTMENT
SECURITIES, LLC

Defendant.

In re:

BERNARD L. MADOFF

Debtor.

CERTIFICATE OF SERVICE

This is to certify that I have this day served the following person with an
OBJECTION TO TRUSTEE'S DENIAL OF CLAIM ON ACCOUNT 1W0085 by
depositing said copy in the United States Mail, first class postage prepaid, addressed to:


Clerk of the US Bankruptcy Court for
The Southern District of New York
One Bowling Green
New York, New York 10004

And

Irving H. Picard, Trustee
c/o Baker & Hostetler, LLP
45 Rockefeller Plaza
New York, New York 10111

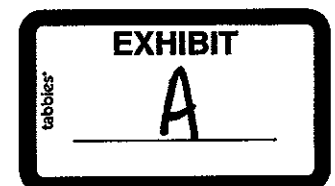
This 17 day of November, 2009.

PORTER & SCHWARTZ, P.A.


Benjamin D. Schwartz
Benincharlotte@yahoo.com

UNREQUESTED
TRANSFER →

DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
6/2/1997	TRANS FROM 1W004810	\$1,265,027.58	\$804,996.33
10/9/1997	CHECK	\$15,000.00	\$15,000.00
9/22/1998	CHECK	\$380,000.00	\$380,000.00
12/16/1998	CHECK WIRE	\$125,000.00	\$125,000.00
3/8/1999	CHECK	\$50,000.00	\$50,000.00
4/12/1999	CHECK	\$50,000.00	\$50,000.00
4/19/1999	CHECK	\$7,377.00	\$7,377.00
6/8/1999	CHECK	\$50,000.00	\$50,000.00
6/14/1999	CHECK	\$15,000.00	\$15,000.00
6/18/1999	CHECK	\$15,700.00	\$15,700.00
7/6/1999	CHECK	\$50,000.00	\$50,000.00
9/30/1999	CHECK	\$7,000.00	\$7,000.00
10/12/1999	CHECK	\$9,000.00	\$9,000.00
8/6/2001	CHECK	\$12,000.00	\$12,000.00
10/16/2001	CHECK	\$35,000.00	\$35,000.00
10/29/2001	CHECK	\$75,000.00	\$75,000.00
10/13/2004	CHECK	\$35,000.00	\$35,000.00
4/4/2007	CHECK	\$5,000.00	\$5,000.00
8/11/2008	CHECK	\$72,000.00	\$72,000.00
8/11/2008	CHECK	\$60,000.00	\$60,000.00
Total Deposits:		\$2,333,104.58	\$1,873,073.33
DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
12/18/1997	CHECK	(\$240,000.00)	(\$240,000.00)
12/29/1997	CHECK	(\$400,000.00)	(\$400,000.00)
4/22/1998	CHECK	(\$200,000.00)	(\$200,000.00)
12/1/1999	CHECK	(\$50,000.00)	(\$50,000.00)
12/14/1999	CHECK	(\$25,000.00)	(\$25,000.00)
8/21/2000	CHECK	(\$15,000.00)	(\$15,000.00)
9/21/2000	CHECK	(\$12,500.00)	(\$12,500.00)
12/20/2000	CHECK	(\$280,000.00)	(\$280,000.00)
2/13/2002	CHECK	(\$100,000.00)	(\$100,000.00)
2/21/2002	CHECK	(\$45,000.00)	(\$45,000.00)
4/26/2002	CHECK	(\$105,000.00)	(\$105,000.00)
5/31/2002	CHECK	(\$50,000.00)	(\$50,000.00)
12/26/2002	CHECK	(\$200,000.00)	(\$200,000.00)
1/7/2003	CHECK	(\$45,000.00)	(\$45,000.00)
2/25/2003	CHECK	(\$20,000.00)	(\$20,000.00)



4/21/2003	CHECK	(\$25,000.00)	(\$25,000.00)
6/25/2003	CHECK	(\$32,000.00)	(\$32,000.00)
8/26/2003	CHECK	(\$41,000.00)	(\$41,000.00)
9/29/2003	CHECK	(\$25,000.00)	(\$25,000.00)
12/12/2003	CHECK	(\$29,000.00)	(\$29,000.00)
12/16/2004	CHECK	(\$50,000.00)	(\$50,000.00)
6/20/2006	CHECK	(\$58,000.00)	(\$58,000.00)
10/23/2006	CHECK	(\$60,000.00)	(\$60,000.00)
10/18/2007	CHECK	(\$200,000.00)	(\$200,000.00)
11/2/2007	CHECK	(\$30,000.00)	(\$30,000.00)
11/9/2007	CHECK	(\$22,000.00)	(\$22,000.00)
10/30/2008	CHECK	(\$82,000.00)	(\$82,000.00)
Total Withdrawals:		(\$2,441,500.00)	(\$2,441,500.00)
Total deposits less withdrawals:		(\$108,395.42)	(\$568,426.67)